April 16, 2001

infarction, atherosclerosis, peripheral vascular occlusion, preeclampsia, embolism, a platelet-associated ischemic disorder including lung ischemia, coronary ischemia, and cerebral ischemia, a thrombotic disorder including coronary artery thrombosis, cerebral artery thrombosis, intracardiac thrombosis, peripheral artery thrombosis, venous thrombosis, thrombosis and coagulopathy associated with exposure to a foreign or injured tissue surface, deep venous thrombosis (DVT), pulmonary embolism (PE), transient ischemic attack (TIAs), or another related condition where vascular occlusion is the common underlying feature.

- 38. The method of Claim 1 wherein the soluble CD39 is administered to prevent thrombus formation or reformation, occlusion, reocclusion, stenosis, or restenosis of blood vessels, or stroke.
- 39. The method of Claim 5 wherein the soluble CD39 is administered to prevent thrombus formation or reformation, occlusion, reocclusion, stenosis, or restenosis of blood vessels, or stroke.
- 40. The method of Claim 1 wherein the soluble CD39 is administered in conjunction with angioplasty, carotid endarterectomy, anastomosis of vascular graft, atherectomy, stent placement, placement of a chronic cardiovascular device such as an indwelling catheter or prosthetic valve or vessel, or bypass surgery.
- 41. The method of Claim 5 wherein the soluble CD39 is administered in conjunction with angioplasty, carotid endarterectomy, anastomosis of vascular graft, atherectomy, stent placement, placement of a chronic cardiovascular device such as an indwelling catheter or prosthetic valve or vessel, or bypass surgery.--

## **REMARKS**

Claims 8 to 18 have been canceled, and presented as new Claims 20 to 41 to eliminate the multiple dependencies. Claims 1 to 7, and 19 to 41 are presented for examination.

April 16, 2001

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,

Patrick J. Kelly, Ph.D., Esq

Registration No. 34,638

SYNNESTVEDT & LECHNER LLP Suite 2600 Aramark Tower 1101 Market Street Philadelphia, PA 19107 (215) 923-4466

M:\LWhite\Immunex-Cornell\23495 USA\Patent Office\PRELIM amendment.wpd

## **VERSION WITH MARKINGS TO SHOW CHANGES MADE**

## In the Specification

The paragraph beginning at page 2, line 1, has been amended as follows:

Immunoprecipitation of HUVEC detergent lysates with anti-CD39 mAb resulted in complete capture of cell-associated ADPase activity, suggesting that CD39 is the only ecto-ADPase on endothelial cells (Marcus et al., *J. Clin. Invest.* 99:1351, 1997). In the same study, COS cell transfectants expressing recombinant CD39 at the cell surface totally inhibited ADP-induced platelet aggregation. Thus, CD39 plays a prominent role in thromboregulation (*see also*, Gayle et al., *J. Clin. Invest.*, 101:1851, 1998; WO96/30532).

Claims 8 through 18 have been canceled.

New Claims 20 to 41 have been added.

- --20. A method according to [one of claims 1-7] <u>Claim 1</u> wherein the soluble CD39 polypeptide has been produced by culturing a recombinant cell that encodes the soluble CD39 polypeptide under conditions permitting expression of the CD39 polypeptide, and recovering the expressed CD39 polypeptide.
- 21. A method according to [one of claims 1-7] <u>Claim 5</u> wherein the soluble CD39 polypeptide has been produced by culturing a recombinant cell that encodes the soluble CD39 polypeptide under conditions permitting expression of the CD39 polypeptide, and recovering the expressed CD39 polypeptide.
- 22. The method of claim [8] <u>20</u> wherein the recombinant cell comprises a nucleic acid having a sequence selected from the group consisting of:

April 16, 2001

- (a) SEQ ID NO:5; and
- (b) DNA sequences which, due to degeneracy of the genetic code, encode the polypeptide encoded by SEQ ID NO:5.
- 23. The method of claim [8] <u>21</u> wherein the recombinant cell comprises a nucleic acid having a sequence selected from the group consisting of:
  - (a) SEQ ID NO:5; and
- (b) DNA sequences which, due to degeneracy of the genetic code, encode the polypeptide encoded by SEQ ID NO:5.
- 24. The method of claim [8] <u>20</u> wherein the recombinant cell comprises a nucleic acid having a sequence selected from the group consisting of:
  - (a) SEQ ID NO:7; and
- (b) DNA sequences which, due to degeneracy of the genetic code, encode the polypeptide encoded by SEQ ID NO:7.
- 25. The method of claim [8] 21 wherein the recombinant cell comprises a nucleic acid having a sequence selected from the group consisting of:
  - (a) SEQ ID NO:7; and
- (b) DNA sequences which, due to degeneracy of the genetic code, encode the polypeptide encoded by SEQ ID NO:7.
- 26. The method of Claim 1 wherein the soluble CD39 polypeptide is administered in a composition comprising a pharmaceutically acceptable carrier.
- 27. The method of Claim 5 wherein the soluble CD39 polypeptide is administered in a composition comprising a pharmaceutically acceptable carrier.
- 28. The method of Claim 1 wherein the soluble CD39 polypeptide is administered in combination with at least one other antithrombotic or antiplatelet composition.

n

å æ.

- 29. The method of Claim 5 wherein the soluble CD39 polypeptide is administered in combination with at least one other antithrombotic or antiplatelet composition.
- 30. The method of claim 1 wherein the soluble CD39 polypeptide is administered in combination with aspirin.
- 31. The method of claim 5 wherein the soluble CD39 polypeptide is administered in combination with aspirin.
- 32. The method of Claim 1 wherein the soluble CD39 polypeptide is administered parenterally.
- 33. The method of Claim 5 wherein the soluble CD39 polypeptide is administered parenterally.
- 34. The method of claim 32 wherein the soluble CD39 polypeptide is administered intravenously.
- 35. The method of claim 33 wherein the soluble CD39 polypeptide is administered intravenously.
- 36. The method of Claim 1 wherein the mammal is suffering from unstable angina, myocardial infarction, stroke, coronary artery disease or injury, myocardial infarction, atherosclerosis, peripheral vascular occlusion, preeclampsia, embolism, a platelet-associated ischemic disorder including lung ischemia, coronary ischemia, and cerebral ischemia, a thrombotic disorder including coronary artery thrombosis, cerebral artery thrombosis, intracardiac thrombosis, peripheral artery thrombosis, venous thrombosis, thrombosis and coagulopathy associated with exposure to a foreign or injured tissue surface, deep venous thrombosis (DVT), pulmonary embolism (PE), transient ischemic

 U.S. National Phase Application Based on Intl. Application No. PCT/US99/23641 Page 4

April 16, 2001

attack (TIAs), or another related condition where vascular occlusion is the common underlying feature.

- 37. The method of Claim 5 wherein the mammal is suffering from unstable angina, myocardial infarction, stroke, coronary artery disease or injury, myocardial infarction, atherosclerosis, peripheral vascular occlusion, preeclampsia, embolism, a platelet-associated ischemic disorder including lung ischemia, coronary ischemia, and cerebral ischemia, a thrombotic disorder including coronary artery thrombosis, cerebral artery thrombosis, intracardiac thrombosis, peripheral artery thrombosis, venous thrombosis and coagulopathy associated with exposure to a foreign or injured tissue surface, deep venous thrombosis (DVT), pulmonary embolism (PE), transient ischemic attack (TIAs), or another related condition where vascular occlusion is the common underlying feature.
- 38. The method of Claim 1 wherein the soluble CD39 is administered to prevent thrombus formation or reformation, occlusion, reocclusion, stenosis, or restenosis of blood vessels, or stroke.
- 39. The method of Claim 5 wherein the soluble CD39 is administered to prevent thrombus formation or reformation, occlusion, reocclusion, stenosis, or restenosis of blood vessels, or stroke.
- 40. The method of Claim 1 wherein the soluble CD39 is administered in conjunction with angioplasty, carotid endarterectomy, anastomosis of vascular graft, atherectomy, stent placement, placement of a chronic cardiovascular device such as an indwelling catheter or prosthetic valve or vessel, or bypass surgery.
- 41. The method of Claim 5 wherein the soluble CD39 is administered in conjunction with angioplasty, carotid endarterectomy, anastomosis of vascular graft,

April 16, 2001

atherectomy, stent placement, placement of a chronic cardiovascular device such as an indwelling catheter or prosthetic valve or vessel, or bypass surgery.--